

Nebraska Sign Language Interpreter Review Board Meeting

September 7, 2018 – 1pm – 3pm

4600 Valley Rd, Conference Room 4A, Lincoln NE

A. Welcome

The meeting of the Nebraska Interpreter Review Board (IRB) was called to order at 1:14 pm by Ms. Vonda Apking, Chairperson at 4600 Valley Rd, Classroom 4A, Lincoln NE

B. Notice of Open Meeting

Chairperson Ms. Vonda Apking announced the notice of the meeting was duly given, posted, published, and tendered in compliance with the Open Meetings Act, and all board members received notice simultaneously by email. The agenda has been kept current and available at the Commission's office and on our website. The materials generally used by the board for this meeting are on the table in a public folder that is available to the general public for this meeting in accordance with the Open Meetings Act, {Neb. Rev. Stat. 84-1412 (8)}.

Publication of official notice of the meeting appeared in the August 31, 2018 edition of the Omaha World Herald, a legal newspaper of general circulation in this state, as required by the Open Meetings Act.

C. Roll Call

For the record, Board Members Ms. Vonda Apking, Ms. Peggy Williams, Mr. Thomas Beyer, Ms. Jessica Nickels, Ms. Natasha Olsen, NCDHH Business Manager representing Mr. John Wyvill, Executive Director, were present. Board Members Ms. Nancy Flearl and Mr. Richard McCowin were absent.

Ms. Williams asked that Mr. Beyer introduce himself as he was the newest board member. Mr. Beyer shared that the deaf community has given a lot to him, primarily George & Elly Propp, so that is his motivation for being on the board is to represent the interests of the deaf community.

D. Review of Agenda

Ms. Apking added that the agenda has been reviewed. Noted that in accordance with the Open Meetings Law, the agenda cannot be altered within 24 hours of the meeting except for emergency items.

E. Acceptance of Agenda

Board Member, Ms. Nickels moved to accept the agenda as written. Board Member, Mr. Beyer seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Ms. Williams, Ms. Nickels, Ms. Olsen all voting aye.

F. Acceptance of Minutes

Board Member, Mr. Beyer moved to accept the minutes for the June 1, 2018 meeting minutes as written. Board Member Ms. Nickels seconded the motion. With no further discussion, the motion carried with Ms. Apking, Ms. Peggy Williams, Mr. Beyer, Ms. Nickels, Ms. Olsen all

voting aye.

G. Chairperson of the Board's Report

Ms. Apking stated that she did not have a chairperson's report so we can move to obtain a motion to go into closed session.

Mr. Beyer moved that they move into closed session for the three interpreter complaints at 1:21pm. Ms. Nickels seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Ms. Nickels, Ms. Williams, Ms. Olsen all voting aye.

Ms. Williams added for clarification purposes because of having a new board member today that no notes can be taken during closed session.

Mr. Richard McCowin entered the meeting at 1:33pm

Ms. Jessica Nickels left the meeting at 2:32pm

H. Closed Session

Ms. Williams made the motion to end closed session at 2:47pm. Mr. Beyer seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Mr. McCowin, Ms. Williams, Ms. Olsen all voting aye.

- Case 2507. The recommendation by Mr. Beyer to have the Attorney General's office draft a cease and desist letter for the unlicensed practice of sign language interpreting in the state of Nebraska. Mr. McCowin seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Mr. McCowin, Ms. Williams, Ms. Olsen all voting aye.
- Case 2508. Mr. McCowin made the motion to have the Attorney General's office draft a cease and desist letter for the unlicensed practice of sign language interpreting in the state of Nebraska. Ms. Olsen seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Mr. McCowin, Ms. Williams, Ms. Olsen all voting aye.
- Case 2509. Ms. Olsen made the motion to have the Attorney General's office draft a cease and desist letter for the unlicensed practice of sign language interpreting in the state of Nebraska. Mr. McCowin seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Mr. McCowin, Ms. Williams, Ms. Olsen all voting aye.
- Case 2510. Mr. Beyer made the motion to have the Attorney General's office draft a cease and desist letter for the unlicensed practice of sign language interpreting in the state of Nebraska. Mr. McCowin seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Mr. McCowin, Ms. Williams, Ms. Olsen all voting aye.
- Case 2511. Ms. Olsen made the motion to have the Attorney General's office draft a cease and desist letter for the unlicensed practice of sign language interpreting in the state of Nebraska. Ms. Williams seconded the motion. With no further discussion, the motion

carried with Ms. Apking, Mr. Beyer, Mr. McCowin, Ms. Williams, Ms. Olsen all voting aye.

- Case 2512. Ms. Williams made the motion to table the case until the December 2018 meeting at which time it will be reviewed. Ms. Olsen seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Mr. McCowin, Ms. Williams, Ms. Olsen all voting aye.

I. Public Comments

J. Executive Director Report – presented by Ms. Olsen

a. Agency Updates

- We are remodeling the Lincoln office. You are welcome to stop by if you would like.
- This weekend is the Wellness Event; NCDHH is collaborating with the Southeast Nebraska Regional Program (SNRP). From 8am – 10am is for children and from 10am – 12pm is for adults.
- This Saturday out in Scottsbluff, we are also having a Zoo event where we are collaborating with the Educational Service Unit (ESU).
- The Zoo Event in Omaha is coming up; it is Sunday, September 30, 2018. If you have not already reserved your tickets, please do so. You may also show up at the zoo, as oftentimes people do not come.
- The last weekend of October is our second annual Educational Summit. It is Friday evening from 6pm – 8pm with Dr Beth Benedict presenting. On Saturday, Mr. Cory Axelrod will be presenting from 9am to noon and from 1pm to 4pm.
- Interpreter Workshop will be in March, 2019.

Ms. Williams noted that it was 3pm, asked if the interpreters are able to continue since they are contracted until 3pm.

a. IRB Vacancy Report

- i. There is a deaf representative position that has been vacant since July 1, 2018. Please spread the word to have them submit an application.

b. Rules and Regulations Update

- i. Appoint review committee
 1. Technical Corrections
 2. QAST III

Ms. Olsen shared that the Rules and Regulations need updated. The suggestion is to create a committee to take responsibility of this. This will be the IRB's decision who will serve on this committee.

Ms. Williams added that she is suggesting that we have one person from Nebraska Association of the Deaf (NeAD), one person

from the Interpreter Review Board (IRB), one person from the Nebraska Registry of Interpreters for the Deaf (neRID). Also added that Ms. Judy Gouldsmith was also instrumental in assisting a previous Executive Director, Ms. Tanya Wendel in writing the rules and regulations several years ago.

Discussion on how many members to have on this committee. Ms. Williams and Mr. Beyer suggested having no more than five members on the committee.

Mr. McCowin asked what are the rules and regulations. Ms. Williams shared that would involve going through a 96-page document and making any recommendations. For example, QAST III is no longer going to be in the rules and regulations. QAST IV – V are going to be grandfathered in.

Ms. Olsen referenced the flow chart included in the board packet that will be followed for editing, reviewing and getting Title 96 approved by the legislature's office.

Discussion on the changes needed to the rules and regulations, primary is the QAST III being removed. The other changes are grammatical; there is no big rule changes. Ms. Olsen added that there is no law changes or anything that we are advocating. QAST III needs to be removed because it is not valid after June 30.

Ms. Olsen addressed on needing the recommendation on five people, or do you want to ask the group to send a representative? Mr. McCowin suggested a smaller number is best. Mr. McCowin added that we need to make sure that we select people that understand the content of the rules and regulations. Ms. Olsen added that what is up for vote according to the agenda is for the IRB to select or at least say we want to ask NAD to send a representative, IRB, neRID.

Ms. Apking added that the committee should consist of five members that were mentioned and if Judy Gouldsmith is not available. Ms. Williams added that there are four, NeAD, IRB, neRID and Judy Gouldsmith. If Judy is not available, suggested to ask Sharon Sinkler.

Ms. Williams made a motion to establish a Rule 96 Committee consisting of a representative from NeAD, IRB, neRID, and Judy Gouldsmith. If Judy is not available to ask Sharon Sinkler. Mr. McCowin seconded the motion. With no further discussion, the

motion carried with Ms. Apking, Mr. Beyer, Mr. McCowin, Ms. Williams, Ms. Olsen all voting aye.

K. Interpreter Review Board By-Laws (Mr. Wyvill)

Ms. Olsen added that the changes are all grammatical for the most part. On the second and third pages, you will see a lot of red that we added. The changes were taken right out of statute, so it is word for word, as to how the statute reads. Under officers, number two, we wanted to add in more of the statutory language to make it more official.

Discussion on the content of the by-laws, which includes the terms of the members and what seats that they can have.

Mr. McCowin made a motion to table the By-Laws discussion until the December 2018 IRB meeting. Mr. Beyer seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Mr. McCowin, Ms. Williams, Ms. Olsen all voting aye.

L. Public Comment

Ms. Crystal Pierce referenced the conversation regarding finding the committee members to serve on the committee to open up the rules and regulations. Ms. Pierce recommended that when your committee of five has been developed the first draft taking it to all of those members as a first review so the experts in the field can then have their thoughts first before you send it out to the full public so that you may catch a lot more things that you need to address prior to the public having it all together. Ms. Pierce also added going back to Mr. Beyer's suggestion of having somebody that is a subject matter expert in the laws on your committee.

Conversation on having a member on the committee that has expertise in the law.

M. Old Business

N. New Business

O. Announcements

P. Adjourn (Ms. Apking)

Ms. Olsen made the motion to adjourn the meeting at 3:44pm. Member Mr. Beyer seconded the motion. With no further discussion, the motion carried with Ms. Apking, Mr. Beyer, Mr. McCowin, Ms. Williams, Ms. Olsen all voting aye.

Next Meeting Date and Location – December 7, 2018, 1313 Farnam, Room 227, Omaha NE at 1pm